

Report was a provision that prohibits the enforcement of civil penalties against truck and commercial vehicles for safety violations until separate legislation is passed to move motor carrier safety functions out of the Federal Highway Administration (FHWA). The provision would also have the impact of eliminating authority to shut down unfit carriers who pose a serious threat to highway safety.

While it is the intent of the committee to mark up a bill this month, it does not make sense to hamstring the agency charged with regulating and enforcing safety until the legislative process has taken its course. H.R. 3036 passed the House last night under suspension of the rules and quick consideration by the Senate today will ensure that the enforcement authority for motor carriers will be restored to the DOT. As we consider authorizing legislation that will reorganize and reprioritize the functions of the Office of Motor Carriers, this legislation will enable the federal government to continue to enforce important federal truck safety rules.

This bill is fair in that it provides authority to DOT to continue to levy penalties until we finalize legislation on this matter. There are pending bills in both bodies, it would be premature to change the functions of this critical safety agency prior to the completion of properly considered legislation.

Mr. McCAIN. Mr. President, we must take swift action to remedy a serious safety consequence which resulted upon enactment of H.R. 2084, the Fiscal Year 2000 Transportation Appropriations Bill, P.L. 106-69.

Signed into law last Saturday, section 338 of this law prevents the Federal Highway Administration (FHWA) from expending any funds for motor carrier safety activities. Although the new law allows the Secretary to transfer the safety functions elsewhere, which has already occurred, there are some safety activities solely vested in FHWA and the Secretary is precluded by law from permitting any other entity to carry out those duties. In particular, the Department's safety enforcement program has nearly come to a halt as a result of the Appropriators' language.

We must restore the Department's ability to fully enforce our federal motor carrier safety regulations. Specifically, we need to restore the department's authority to assess civil penalties when safety violations have been identified. Currently, the Department can continue to carry out inspections, but in most cases has no authority to require a carrier to take corrective action. This is like a police officer pulling a driver over for speeding, but not being able to write a ticket.

Last Mother's Day, 22 people lost their lives when a charter bus ran off the road and crashed. After the acci-

dent, the Federal Highway Administration imposed the maximum fine against the company that it is statutorily authorized to assess. If we do not act, the fine will be held in abeyance. How can this be justified? I hope the Appropriators are finally the full consequences of this provision which was opposed by the authorizing Committees of jurisdiction.

The DOT Inspector General has repeatedly stated that strong enforcement with meaningful sanctions is needed at the Office of Motor Carriers. As long as this provision is allowed to stand, there will be no fines assessed against violators and efforts to strengthen Federal enforcement of motor carrier safety laws will be rendered meaningless.

Mr. President, the Senate Commerce Committee has been working to improve truck safety. Many serious safety gaps have been identified and I believe we need to transfer authority for safety to a separate Motor Carrier Safety Administration. But, we need to act responsibly. We need to allow the authorization process to proceed. We need to put drivers and passengers ahead of unreviewed, unexamined quick-fix gimmicks that have resulted in very disturbing and likely unintended consequences.

Last year, a similar attempt was made by the House Appropriations Committee to strip FHWA from its authority over motor carrier safety matters. As Chairman of the Senate Committee on Commerce, Science, and Transportation, which has jurisdiction over most federal transportation safety policies, including motor carrier and passenger vehicle safety, I opposed this proposal, in part because it had never been considered by the authorizing committees of jurisdiction. The provision was ultimately not enacted and I pledged that I would work to address motor carrier safety concerns in this Congress. I have lived up to this commitment.

At my request, the Inspector General of the Department of Transportation conducted a comprehensive analysis of federal motor carrier safety activities. Serious safety gaps have been identified, and as such, the authorizing Committees of jurisdiction have been working to move legislation to improve motor carrier safety. The Commerce Committee held a hearing on my specific safety proposal and we expect to mark up that measure during the next Executive session. Indeed, we are working to move legislation through the regular legislative process.

Public safety could be seriously jeopardized if Congress does not take quick action to restore federal motor carrier safety enforcement activities. I am aware safety improvements are necessary. I am working to pass those needed improvements. But halting motor carrier enforcement activities is

clearly not in the interest of truck and bus safety.

Mr. President, we cannot allow the destruction of the Federal government's motor carrier safety enforcement program. I fully support passage of H.R. 3036 to restore the Department's truck safety enforcement programs. I urge my colleague to support this much needed bill.

Mr. SANTORUM. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statement relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3036) was passed.

#### ORDERS FOR FRIDAY, OCTOBER 15, 1999

Mr. SANTORUM. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:15 a.m. on Friday, October 15. I further ask unanimous consent that on Friday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then begin the vote on the conference report to accompany the VA-HUD appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### QUALITY CARE FOR THE UNINSURED ACT OF 1999

The PRESIDING OFFICER. The Chair has an announcement.

Under unanimous consent, the Chair lays before the Senate H.R. 2990. All after the enacting clause is stricken. The text of S. 1344 is inserted. The bill is read a third time, passed, and the Senate insists on its amendment and requests a conference with the House.

#### PROGRAM

Mr. SANTORUM. Mr. President, for the information of all Senators, the Senate will conduct a vote on the VA-HUD appropriations conference report tomorrow morning at approximately 9:15. Following the vote, the Senate will resume debate on the campaign finance reform bill, with further amendments to be expected. Senators are encouraged to work with the bill managers on a time to come to the floor to offer their amendments in a timely manner.

#### ADJOURNMENT UNTIL 9:15 A.M. TOMORROW

Mr. SANTORUM. Mr. President, if there is no further business to come before the Senate, I now ask unanimous